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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/461,265 12/15/99 MASON

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EXAMINER

QM12/0213

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THE BLACK & DECKER CORPORATION
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GOLDMAN, C
ART UNIT

PAPER NUMBER

3724
DATE MAILED:

02/13/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/461,265

Applicant(s)

MASON, NEIL

Examiner

Charles Goodman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/28/00 & 1/31/01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☒ Claim(s) 17-19 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 28 November 2000 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) g.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

1. The Amendment filed on November 28, 2000 has been entered.
2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on November 28, 2000 have been approved.

Specification

3. The disclosure is objected to because of the following informalities:
 - i. The specification lacks proper headings. Note comments in the last Office Action.

Appropriate correction is required.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the multiple pair of arms (claim 9) must be shown or the features canceled from the claims. No new matter should be entered.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 9-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- i. Claim 9 is vague and indefinite in that it is not clear what the claim encompasses. Which embodiment is the claim referring to such that there are multiple pairs of arms?
- ii. In claim 10, l. 2, the phrase "the blade for clamping between a saw blade" is vague and indefinite in that it is not clear what the phrase encompasses. What is the difference, if any, between the "blade" and the "saw blade". Moreover, the phrase "a saw blade" is vague and indefinite in that it is a double inclusion of the same previously recited. In l. 7, the term "characterised" is not clearly understood. What is encompassed by the term? In ll. 8-9, the phrase "the length of the extent..." lacks clear antecedent basis.
- iii. In claim 14, the phrase "the direction of the line of action" lacks clear antecedent basis.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claims 1-3, 8-11, and 13-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Vannuvel (BE 440,688).

Vannuvel discloses a saw blade clamping arrangement comprising all the elements claimed including, *inter alia*, a reciprocable shaft 1; a retaining member 7, 8 being lockable in at least two positions; and a restraining means 2. See whole patent.

9. Claims 1-11 and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang.

Huang discloses a saw blade securing mechanism comprising all the elements claimed including, *inter alia*, a reciprocable shaft 20; a retaining member 52, 53 being lockable in at least two positions; restraining means 40, 201, 202; and recess 21. See whole patent.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palm in view of Huang.

Palm discloses the invention substantially as claimed except for the specifics of the blade mount. However, Huang teaches a blade mount comprising a first wall 201 having a recess 21 formed therein; a biased pin 52, 53 disposed through said first wall and having a lug 523 received in said recess; said pin movable against said bias to move said lug out of said recess, said pin secured against rotation while said lug is received in said recess, and said pin rotatable when said lug is moved out of said recess for the purpose of providing a holder for easy replacement of the saw blade as well as for adjustment to different angular positions. See Figs. 1-6, c. 1, ll. 22-28. Thus, it would have been obvious to the ordinary artisan at the time of the instant invention to provide the device of Palm with the blade mount as taught by Huang in order to facilitate easy replacement and angular adjustment of the saw blade.

Allowable Subject Matter

12. Claim 12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

13. Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

14. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

15. Hsu '065, Evans et al, Wright, Boyd Jr. et al, Ishida, and Lee are cited as additional pertinent art.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Goodman whose telephone number is (703) 308-0501. The examiner can normally be reached on Monday-Thursday between 7:30 AM to 6:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached on (703) 308-2187. The fax phone number for this Group is (703) 305-3579.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**rinaldi.rada@uspto.gov**].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.



Charles Goodman
Patent Examiner
AU 3724

cg 
February 11, 2001